

Remarks

I. Status

In the Office Action mailed May 2, 2007, the Examiner: (i) objected to Figures 1A and 1B; (ii) objected to the Abstract; (iii) rejected to claims 7 and 11 under 35 U.S.C. 112 ¶ 1; (iv) rejected claims 12-20 under 35 U.S.C. 101; (v) rejected claims 1, 4, 5, 8-10, 12-17 and 20 under 35 U.S.C. 102(e) as being anticipated by US2004/0049729A1 (Penfield); and (vi) rejected claims 2, 3, 6, 7, 11, 18, 19 and 21 under 35 U.S.C. 103(a) as being unpatentable over Penfield and US2002/0124016A1 (Rank et al).

Applicants have amended claims 1, 3, 7, 11, 12, 19, and 21; canceled claims 2 and 17-18; and added new claims 22-24. Claims 1, 3-16, and 19-24 will be pending after entry of this Amendment.

II. Rejections under Sections 102 and 103

A reference can only anticipate a claimed invention if that reference teaches each and every element of the claim. *MPEP* § 2131. Similarly, a combination of references can only obviate an invention if the suggested combination teaches or suggests all of the claimed limitations. *MPEP* § 2142. Taken together, if none of the references teach or suggest a particular limitation, then the claimed inventions can neither be anticipated or obviated by any combination of the cited art.

A. Penfield

Penfield discloses a computer-based statistical analysis program that essentially consists of a standard spreadsheet application with hard-coded region into which it to display results (as opposed to the more common technique of allowing the user to select the cell(s) in which they want to display the results). *Penfield, Fig. 1; ¶¶ [0010] and [0020]*. Like other standard spreadsheets, Penfield includes a GUI in which the user can select a mathematical function and a range of cells over which that function should be calculated. *Penfield, ¶ [0037]*.

The present invention, in contrast, is directed to a different problem. As described in Applicant's background section, there are many situations where computer users want to know

the statistical properties of the list, such as its sum, average, and standard deviation. The conventional way to determine this information is to first transfer the list into a spreadsheet application, then program the spreadsheet application to calculate the desired properties. One problem with this method is that the user must have access to a spreadsheet application and know how to program it. Another problem with this method is that the transfer and programming steps frequently take a considerable amount of time and effort from the user. *Background, pg. 1, lines 14-22.*

The trend toward pervasive devices, such as cellular telephones and personal digital assistants (“PDAs”) has exasperated these problems. Most pervasive devices have limited memory and processing power, and thus cannot run a full-featured spreadsheet program. Moreover, even if the pervasive devices did have the capacity to execute a spreadsheet program, the rudimentary data entry capabilities of pervasive devices multiply the time and effort required from the user to transfer the data and program the spreadsheet. *Id. at pg. 2, lines 1-6.*

The present invention overcomes these longstanding limitations by allowing the user to simply highlight a list of numbers in text-based application, such as a web browser or word processor. The user then indicates that they want summary information by, for example, selecting the appropriate command from a context sensitive menu or hovering a mouse pointer over the selected list for a predetermined length of time. In response to this indication, the present invention automatically copies the list of elements into a temporary memory structure, converts the list into the required format, computes a pre-selected group of statistics about the elements, and then displays the computed statistics in the results window. *E.g., Detailed Description, pg. 5, lines 5-13.*

With these differences in mind, Applicant has amended the claims to more clearly distinguish the conventional ‘cut-and-paste-into-a-spreadsheet’ method contemplated in Penfield. Thus, with respect to claim 1, Applicant respectfully submits that Penfield fails to teach “parsing a configuration file to extract at least one desired summary function.” Instead, users define their desired functions using standard spreadsheet GUI techniques. *Penfield*, ¶ [0037]. Nor does Penfield teach “receiving notification of a selection event [and] . . . in response to the selection event, automatically” performing a number of functions. Penfield does not automatically do anything in response to a user selection event, much less the specific list of actions listed in the

claims. Nor does Penfield teach “converting the list of elements to a required type for the desired summary function.” Penfield specifically states that the user is responsible for ensuring that the selected elements are of the right type. *Id.*

B. Rank

Like Penfield, Rank is directed at a traditional spreadsheet application, specifically, a file format used to storing spreadsheet data. *Rank, Abstract*; ¶ [0022]. As such, Rank is essentially silent about techniques for displaying information. For at least this reason, Applicant submits that Rank also fails to teach or suggest “parsing a configuration file to extract at least one desired summary function,” “receiving notification of a selection event [and] . . . in response to the selection event, automatically” performing a number of functions,” or “converting the list of elements to a required type for the desired summary function.”

III. Rejections under Section 101

The Examiner rejected claims 12-20 under 35 U.S.C. 101 as directed at non-statutory subject matter. Applicant has amended claim 12 to recite “a computer-readable storage media,” thereby obviating this rejection.

Applicant reserves the right to pursue claims directed at communication media and/or signals in a subsequent application.

IV. Rejection under Section 112, first paragraph

The Examiner rejected claims 7 and 11 under 35 U.S.C. 112, first paragraph (i.e., written description, enablement, and best mode). Applicant respectively traverses. Support for these features may at least be found at pg. 6, lines 2-5.

V. Objections to Drawings

Applicant has submitted a revised Fig. 1A herewith, containing an element 100.

Applicant has elected to change the reference to ‘results window 10’ on page 5 to ‘results window 130,’ rather than to amend Fig. 1B. Applicant believes this change will be more consistent with the rest of the Specification.

VI. Miscellaneous Amendments


Applicant has made a number of amendments to correct minor errors and/or improve readability, in addition to those described in Sections II-IV. Applicant does not believe these amendments change the scope of the claims.

Applicant has also added several new claims to better protect the invention in the marketplace.

VII. Conclusion

In view of the foregoing comments and amendments, the Applicants respectfully submit that all of the pending claims (i.e., claims 1, 3-16, and 19-24) are in condition for allowance and that the application should be passed to issue.

Respectfully submitted,

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